

FREEDOM COURT REPORTING

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION

ORIGINAL

4
5 MONICA PERRYMAN,
6 Plaintiff,

7
8 vs. CIVIL ACTION NO. 2:06-cv-mef

9
10 FIRST UNITED METHODIST CHURCH; and
11 DARLENE MAYE,
12 Defendants.

13 * * * * *

14 DEPOSITION OF MONICA PERRYMAN,
15 taken pursuant to notice and
16 stipulation on behalf of the
17 Defendants, at Rushton, Stakely,
18 Johnston & Garrett, Montgomery,
19 Alabama, before Bridgette Mitchell,
20 Shorthand Reporter and Notary Public in
21 and for the State of Alabama at Large,
22 on October 10, 2006, commencing at
23 9:12 a.m.

**367 VALLEY AVENUE
(205) 397-2397 BIRMINGHAM, ALABAMA 1-877-373-3660**

Exhibit A

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1 A. Home.

2 Q. Can you give me the cell phone number,
3 too, please?

4 A. 324 -- 324-0269.

5 Q. Okay. And do you have any plans on
6 leaving Montgomery in the near future?

7 A. No, sir.

8 Q. Where did you grow up, ma'am?

9 A. Where do I grow up?

10 Q. Where did you grow up, yes, ma'am.

11 A. Montgomery.

12 Q. Where did you go to high school?

13 A. Robert E. Lee.

14 Q. When did you graduate, what year?

15 A. '86.

16 Q. Did you have the opportunity to go to
17 college?

18 A. Yes, sir.

19 Q. Where did you go?

20 A. Trenholm State.

21 Q. When did you start at Trenholm State?

22 A. In '97.

23 Q. And did you graduate from Trenholm?

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1 A. Yes, sir.

2 Q. What year?

3 A. In '90 -- rephrase the question. What
4 year did I graduate?

5 Q. Yes.

6 A. In '97. In what year did I . . .

7 MR. HURST: If you can't
8 remember --

9 Q. Let me ask you this: What year did you
10 start at Trenholm?

11 A. At Trenholm?

12 Q. Yes.

13 A. '95.

14 Q. 1995?

15 A. Uh-huh.

16 Q. You said you graduated in 1997?

17 A. '97.

18 Q. What did you study at Trenholm?

19 A. Early childhood development.

20 Q. Early childhood development?

21 A. Yes, sir.

22 Q. And when you graduated from Trenholm,
23 did you receive a certificate or

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1 degree?

2 A. Certificate.

3 Q. What is that certificate called?

4 A. Early childhood development
5 certificate.

6 Q. And what does that certificate allow
7 you to do?

8 A. Allow me to do? Explain what you --

9 Q. Well, if you have an early childhood
10 development certificate, how does that
11 allow you to become employed? What job
12 do you get with that certificate?

13 A. I can work up to -- in the early
14 childhood development center. I can
15 work in that field.

16 Q. Okay. Is there a certain -- do you
17 have to keep that renewed, that
18 certificate renewed?

19 A. No, sir.

20 Q. Do you have to take any kind of
21 continuing training courses or classes
22 with that certificate?

23 A. Yes, sir.

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1 A. Yes, sir.

2 Q. How about besides Montgomery County
3 Board of Education and Family Guidance,
4 any other places you can get training
5 hours?

6 A. Through the center that you work for.

7 Q. Okay. So you can get in-house --

8 A. Yes, in-house.

9 Q. -- time? Anything else besides that
10 where you can get your hours?

11 A. Those are the ones.

12 Q. Those three? Okay. Can you get them
13 online? Do you know? Can you take
14 online classes?

15 A. No, sir.

16 Q. How about Trenholm, does Trenholm offer
17 those kind of classes?

18 A. Trenholm? Yes, sir.

19 Q. Trenholm does, too?

20 A. Yes.

21 Q. Any other place or any other way you
22 can think of where you can get hours to
23 continue your certificate besides what

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1 we've discussed?

2 A. Those are the ones that I know of.

3 Q. Okay. And you said you graduated from
4 high school in 1986; right?

5 A. Yes, sir.

6 Q. And you went to Trenholm to get your
7 early childhood development certificate
8 in 1995; right?

9 A. Right.

10 Q. What did you do immediately after high
11 school, in 1986? Did you go to work
12 for somebody?

13 A. I did.

14 Q. Where did you go to work?

15 A. I went to National Industry.

16 Q. National Industry?

17 A. Yes, sir.

18 Q. Where are they located?

19 A. They were located on Gunter Park.

20 Q. Here in Montgomery?

21 A. Yes, sir.

22 Q. And what did you do for National
23 Industry?

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1 A. Three years.

2 Q. And what did you do after you -- after
3 three years were up, what did you do
4 then?

5 A. I went to work for ECDC.

6 Q. Do you recall what year you would have
7 left Alfa?

8 A. 2001.

9 Q. Okay. And were you terminated? Did
10 you resign?

11 A. Resigned.

12 Q. Why did you resign?

13 A. Unfair treatment.

14 Q. Unfair treatment?

15 A. Yes, sir.

16 Q. Okay. Explain to me how you were
17 treated unfairly by Alfa.

18 A. Explain what you --

19 Q. Well, you said you left because you
20 were treated unfairly. I'm asking you
21 to explain to me what that treatment
22 was.

23 A. The treatment that was unfair?

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1 Q. Yes.

2 A. When positions came open and I applied,
3 treated unfair with my race.

4 Q. Okay. Go back to that first thing.

5 You said there were positions that came
6 open and you applied?

7 A. Yes, sir.

8 Q. What's wrong with that?

9 A. The position?

10 Q. Yeah. Are you saying you weren't hired
11 for a position?

12 A. Yes, sir.

13 Q. Okay. What position were you
14 attempting to get that you were not --

15 A. The assistant director.

16 Q. Assistant director?

17 A. Yes.

18 Q. So at some time there was an opening
19 for an assistant director position at
20 Alfa; is that correct?

21 A. Yes, sir.

22 Q. Do you remember when that was?

23 A. It was '01.

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1 Q. And you applied for that position?

2 A. Yes, sir.

3 Q. You put in an application for that
4 position?

5 A. I did.

6 Q. And were other applications taken?

7 A. Yes, sir.

8 Q. Okay. And who eventually got the job
9 over there for assistant director?

10 A. Miss Sharon. I just call her by her
11 first name.

12 Q. Miss Sharon?

13 A. Uh-huh.

14 Q. And you feel like that you were
15 qualified for the job; is that correct?

16 A. Yes, sir.

17 Q. And that you didn't get it because of
18 your race?

19 A. Yes, sir.

20 Q. Now, is Miss Sharon a white lady, I'm
21 assuming?

22 A. Yes, sir.

23 Q. Do you know how many people applied for

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1 that position at Alfa?

2 A. Do I know how many?

3 Q. Yes. Or have you been told?

4 A. No, sir.

5 Q. Okay. Were you told -- were you ever
6 told why you were not hired for that
7 position?

8 A. No, sir.

9 Q. Did you ever ask?

10 A. Yes, sir.

11 Q. What did they say?

12 A. She didn't tell me.

13 Q. She just --

14 A. She just said she hired Miss Sharon.

15 Q. Okay. And then was it after that
16 decision, after that job opening came
17 available that you were not hired, that
18 you decided to look for employment
19 elsewhere?

20 A. Yes.

21 Q. Did you sue Alfa?

22 A. My -- I need to --

23 Q. Did you sue Alfa?

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1 A. My I speak to my attorney?

2 Q. Yeah.

3 (Conversation between the
4 witness and her attorney not
5 heard by the court reporter.)

6 A. There is confidentiality agreement.

7 Q. There is a confidentiality agreement
8 between whom?

9 A. Alfa and myself.

10 Q. Okay. And what does that say?

11 MR. HURST: Tell him the terms.
12 If you don't know it, just tell him you
13 don't know the answer.

14 A. I don't know the answer.

15 Q. Okay. How do you know you can't talk
16 to me about it, then?

17 MR. HURST: You can tell him that.

18 A. It was discussed in the -- in the
19 deposition.

20 Q. Okay. Without going in -- I'm not so
21 much interested in the factual basis of
22 that litigation, but I'm going to need
23 to know some things about it. Did you

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1 settle the case?

2 A. Settle?

3 Q. Did you go to trial? Did you go to
4 jury trial or before a judge for a
5 bench trial?

6 A. No, sir.

7 Q. Did the case -- did y'all resolve it
8 between yourselves and just settle the
9 case?

10 A. Settle?

11 Q. Did you settle -- you did settle it?

12 A. Explain settle, what you mean settle.

13 MR. HURST: Normally the
14 terms -- can we go off?

15 (Off-the-record discussion.)

16 Q. I'm going to request at this time you
17 provide me a copy of that
18 confidentiality agreement. I'm not
19 interested in the inner dealings of it,
20 what happened. I just need to know --
21 and this is all public record -- if it
22 was dismissed, then I can know that.
23 So if you'll provide me a copy of that,

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1 I appreciate it.

2 Let me ask you this, where did you
3 file the lawsuit?

4 A. Explain what you mean "where."

5 Q. Where did you file the lawsuit, what
6 venue, what court?

7 A. What court? The court system?

8 Q. Yeah.

9 A. State, city?

10 Q. Where did you file? I don't know where
11 you filed it. Where did you file it?

12 A. State.

13 Q. Filed it in state court?

14 A. Uh-huh.

15 Q. Did you have an attorney at that time?

16 A. I did.

17 Q. What was his name or her name?

18 (No immediate response given.)

19 MR. HURST: You can't remember?

20 THE WITNESS: Uh-uh.

21 MR. HURST: Just tell him that.

22 A. I can't remember.

23 Q. You think it was in 2001 you would have

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1 filed it?

2 A. Yes, sir.

3 Q. And it was -- I'm assuming it was a
4 race discrimination lawsuit?

5 A. Yes, sir.

6 Q. Were there any other charges in the
7 lawsuit besides race discrimination?

8 A. Any other charges?

9 Q. Right. Besides race discrimination,
10 were there any other charges in that
11 lawsuit?

12 A. No, sir.

13 Q. Was there a gender discrimination
14 charge, saying that --

15 A. No, sir. No, sir.

16 Q. All right. When was the first time
17 that you went over to ECDC at First
18 United Methodist seeking employment?

19 A. In 2001.

20 Q. 2001?

21 A. Yes.

22 Q. Do you recall what month? Summer --

23 A. August.

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1 appointment.

2 Q. Okay. Let me back up. So your child
3 had a doctor's appointment on a certain
4 day --

5 A. Yes.

6 Q. -- in February?

7 A. Yes.

8 Q. And did you give anybody at First
9 United notice of that?

10 A. Yes, sir, I did.

11 Q. How much notice did you give?

12 A. A week.

13 Q. One week's notice?

14 A. Yes, sir.

15 Q. And what was said at that point when
16 you gave notice?

17 A. What was said from whom?

18 Q. How do you give notice? If you want to
19 take a day off, how do you give notice?

20 A. A request form.

21 Q. You fill out a request form?

22 A. Yes.

23 Q. And who did you submit that to?

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1 A. Ms. Darlene Maye.

2 Q. And on that request form, what did you
3 ask -- what did you request?

4 A. The day off.

5 Q. Okay. And did you receive a reply to
6 that?

7 A. Yes, sir.

8 Q. Okay. What was the reply?

9 A. My child or my job.

10 Q. No, no. I mean, after you sent in the
11 request form, what did she tell you
12 about you trying to take the day off?

13 A. My child or my job.

14 Q. So you sent in a request form to the
15 office. Did you go see her? Did you
16 go talk to her face to face?

17 A. Yes, sir.

18 Q. And you walked in the office and she
19 said, Your child or your job?

20 A. Yes, sir.

21 Q. And then you walked away?

22 A. No, sir. I took it to Mr. Saunders.

23 Q. Well, what was said? I need to know --

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1 I mean, I'm sure there was more said.
2 You didn't just walk in and, Your child
3 or your job, and walk out. What was
4 the conversation about? What was
5 explained to you about why you couldn't
6 take the day off? Do you recall?

7 A. Explain to me from --

8 Q. Right. What were you told as to the
9 reason why you couldn't take the day
10 off?

11 A. That it wasn't a two weeks' notice.

12 Q. So the reason you couldn't take the day
13 off is because you failed to give two
14 weeks' notice?

15 A. Yes, sir.

16 Q. Okay. And what kind of doctors
17 appointment was it?

18 A. WIC.

19 Q. I'm sorry?

20 A. WIC appointment.

21 Q. What is WIC?

22 A. It's a program that helps children
23 undernourishment.

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1 Q. A program to help undernourished
2 children?

3 A. Yes. And children who are sick.

4 Q. Do they have a doctor at the program?

5 A. Yes, they do.

6 Q. What doctor is that?

7 A. It's like a -- I don't know all their
8 names. It's different ones.

9 Q. Okay. So your daughter wasn't sick.
10 You had a WIC appointment?

11 A. Yes.

12 Q. And you're saying that there is a
13 doctor at WIC?

14 A. Yes.

15 Q. And she had an appointment with that
16 doctor at WIC?

17 A. Yes, sir.

18 Q. And you don't know that doctor's name?

19 A. No, sir. There would be different
20 ones.

21 Q. What was the point of the doctor's
22 appointment?

23 A. What --

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1 Q. What was the doctor doing for your
2 daughter?

3 A. It was her checkup time.

4 Q. And how are appointments made over at
5 WIC?

6 A. How are they made?

7 Q. Yeah.

8 A. Specify --

9 Q. I mean, how -- I mean, do they contact
10 you? Do you contact them?

11 A. They make annual appointments for you.

12 Q. They make annual appointments?

13 A. Yes.

14 Q. Do you have the power to change those
15 to set a specific date?

16 A. Do I have the power to change?

17 Q. Yes, to change the appointment date.

18 Can you call and say, Look, I can't be
19 there on this date. Can we do it
20 another time?

21 A. Yes, sir.

22 Q. You do have the power to change that
23 date?

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1 A. Yes, sir.

2 Q. You said that was an annual checkup?

3 A. Yes, sir.

4 Q. How do you become eligible for WIC?

5 A. Explain.

6 Q. How do you become eligible? How do you
7 get in their program?

8 A. Your doctors tell you about it, your
9 children's physician.

10 Q. Your child's physician told you about
11 the WIC program?

12 A. Yes, sir.

13 Q. And how did you become entered into the
14 WIC program?

15 A. Called and made an appointment.

16 Q. You called the WIC people and made an
17 appointment?

18 A. Yes, sir.

19 Q. Did you ever fill out an application,
20 anything like that?

21 A. No, sir.

22 Q. So there's no application?

23 A. Not for me to fill out, no, sir.

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1 Q. Who filled out the application?

2 A. The clerks behind the desk.

3 Q. So you went down to the WIC center?

4 A. Yes, sir.

5 Q. Okay. And there was a clerk that
6 filled out your application for you?

7 A. Yes.

8 Q. When did you sign up for the WIC
9 program?

10 A. I can't remember.

11 Q. Can't remember what year?

12 A. No, sir.

13 Q. Are you still in it?

14 A. Yes, sir.

15 Q. Can you be in the WIC program and be
16 employed at the same time?

17 A. Yes, sir.

18 Q. You can be?

19 A. Yes, sir.

20 Q. When you signed up for WIC, did you
21 have to provide them with any
22 information, any proof of employment,
23 anything like that?

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1 A. Yes, sir.

2 Q. What did you provide them with?

3 A. Explain what you --

4 Q. What did you provide them with, the WIC
5 people?

6 A. Proof of employment.

7 Q. Is that it?

8 A. Yes, sir.

9 Q. So the people at the WIC office wanted
10 to know whether or not you were
11 employed before they entered you into
12 the program?

13 A. Yes, sir.

14 Q. And besides the WIC program, besides
15 having annual checkups available for
16 your children, do you get any other
17 kind of benefits?

18 A. You receive vouchers.

19 Q. Receive vouchers?

20 A. Yes, sir.

21 Q. And do those come in the mail or do you
22 have to pick those up?

23 A. Pick them up.

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1 Q. You pick them up?

2 A. Yes.

3 Q. Do you know if they mail them?

4 A. Do I know if they mail them?

5 Q. Yes.

6 A. No.

7 Q. They do not?

8 A. You asked me did I know if they mailed
9 them. No, sir.

10 Q. You don't know whether or not they mail
11 them or not?

12 A. No, sir.

13 Q. How often do you go there to pick them
14 up, the vouchers?

15 A. Every three months.

16 Q. And is that a set time you go pick them
17 up or can you change that time?

18 A. Set time.

19 Q. Do they allow you to change that time?

20 A. No, sir.

21 Q. I'm sorry?

22 A. No, sir.

23 Q. Have you ever tried to change the time

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1 that you pick up your vouchers?

2 A. No, sir.

3 Q. Okay. How do you know, then, that you
4 can't change it?

5 A. It's on the WIC card, the pick-up time.

6 Q. Right. But I'm saying, how do you know
7 that they won't allow you to pick that
8 up at a different date?

9 A. Your vouchers?

10 Q. Yes.

11 A. You can pick up the vouchers a
12 different date.

13 Q. Okay. So you have freedom to change
14 the voucher pick-up date as well?

15 A. Right.

16 Q. Now, when you first started working
17 at -- tell me one more time. When did
18 you start working at the ECDC program?

19 A. August of '01.

20 Q. And what were you doing for them at
21 that time when you started? What were
22 your responsibilities?

23 A. My responsibility?

367 VALLEY AVENUE

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Exhibit A

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1 Q. Okay. Would there be any religious
2 doctrine taught, Bible stories?

3 A. No, sir.

4 Q. So there were no Bible stories taught
5 to three-year-olds?

6 A. Uh-uh. (Witness shakes head.)

7 Q. Did you have a lesson plan?

8 A. We did.

9 Q. Explain that to me. What was the
10 lesson plan like?

11 A. It was a curriculum based on different
12 activities, like Easter and Halloween
13 and fall festival, and we would have to
14 implement -- we would have to put on
15 the lesson plan what we're going to do
16 for those subjects.

17 Q. Okay. It's your testimony that none of
18 the subjects you ever taught the three-
19 year-olds were religious based in any
20 way?

21 A. I would say holidays.

22 Q. Okay. So you say during the holidays
23 you would teach religious doctrine to

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1 the children?

2 A. Yes.

3 Q. Which holidays would you teach
4 religious doctrine to the children?

5 A. Christmas.

6 Q. And what would you teach them at
7 Christmastime about religion?

8 A. Baby Jesus, about baby Jesus' birth.

9 Q. So you would teach them about the birth
10 of baby Jesus?

11 A. Yes.

12 Q. What else would you teach about
13 religion?

14 A. That's basically it.

15 Q. Gift of the Magi? Did you ever teach
16 the Gift of the Magi -- frankincense,
17 gold, myrrh?

18 A. No, sir.

19 Q. How about Easter, what did you teach
20 them during Easter?

21 A. The resurrection of Jesus.

22 Q. And how would you teach them about
23 these religious topics? Did you have a

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1 religious textbook, some kind of book
2 you teach them from?

3 A. No, sir. We had little Easter eggs
4 that she provided.

5 Q. You had Easter eggs?

6 A. Uh-huh.

7 Q. But when you're teaching your children
8 about the resurrection of Jesus or the
9 birth of Jesus, you didn't have a
10 little pamphlet or a little book to
11 show them pictures, nothing like that?

12 A. No, sir.

13 Q. How would you teach them about it,
14 then?

15 A. The little eggs. The resurrection was
16 the little eggs.

17 Q. Okay. Explain the eggs. I may be
18 missing it. What were the eggs?

19 A. It was little different things in the
20 eggs that explains to you.

21 Q. I see. So during Easter, for example,
22 you'd have Easter eggs with little
23 Christian messages inside?

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1 A. Right.

2 Q. And that's how you would teach them
3 about it?

4 A. Right.

5 Q. How about Christmas, how would you
6 teach them about the birth of Jesus at
7 Christmastime?

8 A. We would let the children interact as
9 being baby Jesus.

10 Q. So you would put on plays and skits
11 involving religion; is that correct?

12 A. Yes.

13 Q. And you would actually have some of the
14 children pretend to be baby Jesus?

15 A. Yes.

16 Q. What would the other children in the
17 room when you're doing that play? What
18 characters would they be?

19 A. There wasn't a character. It was just
20 baby Jesus.

21 Q. Just baby Jesus?

22 A. Uh-huh. (Witness nods head.)

23 Q. What were you telling the kids about

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1 baby Jesus at that time?

2 A. What you mean what I would tell them?

3 Q. Yeah. I mean, how would you teach them
4 about baby Jesus? I know you have
5 somebody pretending to be baby Jesus
6 there in the room. How would you teach
7 them from that?

8 A. Just explain to them how much he loved
9 them.

10 Q. Okay. How much Jesus loves them?

11 A. Yes.

12 Q. Are there any religious pictures in
13 your three-year-old room on the walls?

14 A. What you mean, when I was there?

15 Q. Yeah. Yeah, when you were there.

16 A. No, sir.

17 Q. So there were no religious pictures on
18 the wall?

19 A. No, sir.

20 Q. Is there a Bible in that room?

21 A. Not that I can recall.

22 Q. Do you recall any religious literature
23 in the three-year-old room?

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1 A. They had some little pamphlets they
2 would send in that they take home, the
3 children would take home.

4 Q. All right. Let me talk about that a
5 little bit. So you all had religious
6 pamphlets that would be provided to
7 your class?

8 A. Yes, sir.

9 Q. And you would pass those out to the
10 children?

11 A. Yes.

12 Q. How often would they get the pamphlets?

13 A. When they go to chapel.

14 Q. Okay. When do they go to chapel?

15 A. On Wednesdays.

16 Q. Okay. So aside from -- on top of, I
17 should say, religious holidays, they
18 were also taught religion every
19 Wednesday as part of chapel day?

20 A. Yes, sir.

21 Q. Explain to me what chapel day entails.
22 What is that about?

23 A. We would take them to the chapel